

REMARKS

Claims 4-6, 8, 10, 11, 14-16, 18, 20 and 53-57 are pending in the application with the present amendments.

In the Office Action, all claims were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,505,160 to Levy et al. ("Levy") in view of U.S. Patent No. 5,715,403 to Stefik ("Stefik"). For the reasons set forth below, applicants submit that the presently pending claims are fully distinguished from the combination of Levy and Stefik.

The passages of Levy and Stefik cited by the Examiner in rejecting independent claims 11 and 53 fail to teach that authentication information including time identification information *is attached to a piece of content when the content is distributed*. The time identification information is distributed therewith in order for monitoring to determine whether the piece of content has been distributed with authorization of the owner of the piece of content. In the advisory action dated August 24, 2006, the Examiner pointed to language in Stefik (col. 28, lns. 34-65) as teaching the transmission of a nonce for authentication, the nonce indicating a time. However, the cited passage of Stefik indicates that the nonce is transmitted only as part of "performance testing." Stefik gives no indication that the nonce *is attached to a piece of content when the piece of content is distributed*, in order for monitoring to determine whether the piece of content is distributed with the authorization of the content owner.

Moreover, Stefik also fails to teach the invention claimed in claims 54 and 56 which further recite that the time identification information attached to the content specifies a broadcast time at which a program including the one or more pieces of content is distributed via broadcast.

Stefik also fails to teach the invention claimed in claims 55 and 57 which recite that the time identification information specifies a broadcast time at which the one or more pieces of content are distributed via broadcast.

Moreover, the claims of the application are believed to be further distinguished from the art cited in the Office Action for the reasons discussed in applicant's prior amendments dated August 2, 2006 and February 10, 2006.


Finally, Applicants submit that the corrected drawings submitted on April 28, 2005 in form of Replacement Sheets fully comply with the requirement therefor in Item 11 of the Office Action Summary.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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